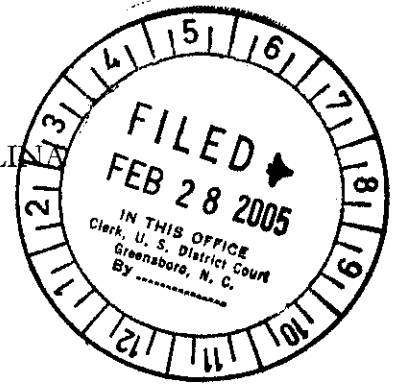


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



DAN PHILLIPS,

Plaintiff,

v.

LARRY MABE, in his personal and
individual capacity; DONALD WHITT,
in his personal and individual capacity,

Defendants.

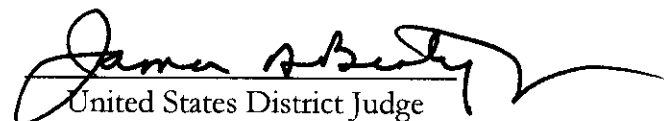
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ORDER AND JUDGMENT

BEATY, District Judge.

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith, IT IS HEREBY ORDERED and ADJUDGED that Plaintiff's Motion to Strike [Document #17] Defendant Whitt's Reply is DENIED. Furthermore, Defendant Mabe's Motion to Dismiss [Document #8] and Defendant Whitt's Motion to Dismiss [Document #2] Plaintiff's claims under 42 U.S.C. §§ 1981, 1983, and 1985 are GRANTED, and Plaintiff's Complaint is DISMISSED.

This, the 28 day of February, 2005.


United States District Judge